

## REMARKS

There are now pending in this application claims 1, 2, 5, 7 to 11, 14, 18, 33 and 34, of which claims 1 and 34 are independent. Claims 3, 4 and 13 have been cancelled without prejudice or waiver of their subject matter. Claim 34 is newly added.

In view of the above amendments and the following remarks, favorable reconsideration and allowance of the above application is respectfully sought.

The invention as now recited in independent claim 1 calls for a sheet supplying apparatus which supplies a sheet in a supplying direction. The apparatus has a first stacking portion and a second stacking portion wherein the second stacking portion receives component force of the gravity at least in the sheet supplying direction. A supplying roller supplies the first sheets stacked on a first stacking portion or the second sheet stacked on a tray of the second stacking portion in the supplying direction and the invention is characterized in that when the tray of the second stacking portion is positioned at the release position, the supplying roller is able to supply the first sheet stacked on the first stacking portion, while when the tray is positioned at the supplying position, the supplying roller can contact with the second sheets stacked on the tray to supply the second sheet stacked on the tray. Claim 1 has been further amended to recite that the second stacking portion includes a blocking means, the blocking means abuts the end portion of the second sheet on the downstream side in the supplying direction to prevent the second sheets from coming off the second stacking portion when the tray is positioned at the release position, and the blocking means separates from the end portion of the second sheet on the downstream side in the supplying direction when the tray moves to the supplying position, and opens a sheet supplying route from the second stacking portion.

The amendments to independent claim 1, and particularly the added phrases therein are supported at least by original claims 3 to 5, page 30, line 22 through page 31, line 10 and page 53, lines 6 through 17.

The invention as presented in new independent claim 34 is characterized in that the sheet type discriminating sensor comprises the inclined surface. When the tray of the second stacking portion moves to the supplying portion, the sheet type discriminating sensor rides on the second sheets by the inclined surface.

Independent claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by either Kuge (JP 2001-301994) or Jang (US Patent No. 6,315,280). In view of the above amendments and the following remarks, the rejections are respectfully traversed.

In the present invention as now recited in independent claim 1, since the second stacking portion receives component force of the gravity of the sheet in the sheet supplying direction, the second stacking portion includes the blocking means for blocking the sheet supplying route so as to prevent the stacked sheets from coming off when the tray of the second stacking portion retreats and for opening the sheet supplying route when the tray moves to the supplying position.

In contrast to the invention as set forth in independent claim 1, the second housing part in Kuge does not receive the component force of the gravity in the sheet supplying direction. Further, the side wall of the second housing part on the downstream side in the supplying direction does not serve as the prevention sheets from coming off when the second housing part is positioned at the retreat position.

Jang is directed to a paper feeding apparatus of a multifunction machine. The Examiner identifies stacking portion 10 and tray 11 as corresponding to the first and second stacking portion of the claimed invention. However, for the reasons noted above at least with respect to Kuge, Jang does not disclose or suggest the characterizing features of Applicants' invention as recited in claim 1.

More specifically, as the Examiner will appreciate, that the features of claims 3 and 4, and particularly those of the blocking means, have been incorporated into claim 1. As such, Jang is believed not to be applicable to that claim for the reasons it was not deemed applicable to claims 3 and 4 in the outstanding Official Action.

Applicants respectfully request entry of the above amendment after final as it is being presented in an earnest effort to advance prosecution and place the application in condition for allowance. The claims were not earlier presented as Applicants were of the firm belief that the claims previously on file were allowable over the art of record. However, by entering these amendments Applicants submit that the most expeditious means of advancing prosecution will be achieved. Accordingly, favorable reconsideration together with entry of the above amendments and early passage to issue of the above application is respectfully sought.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Lawrence A. Stahl/

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Lawrence A. Stahl  
Attorney for Applicants  
Registration No. 30,110

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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